

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TROY SKILES, et al,

Plaintiffs,

v.

Case No. 05-71205

VISTEON CORP., et al

HONORABLE AVERN COHN

Defendants.

_____/

TIM OWENS, et al,

Plaintiffs,

v.

Case No. 05-72042

VISTEON CORP., et al,

HONORABLE AVERN COHN

Defendants.

_____/

ONIE MOORE, et al,

Plaintiffs,

v.

Case No. 05-72344

VISTEON CORP., et al,

HONORABLE AVERN COHN

Defendants.

_____/

PRETRIAL ORDER No. 1

The three captioned cases are each an action under ERISA brought by participants in Visteon's retirement plan generally claiming breach of fiduciary duties by defendants.

On July 1, 2005, the Court held a telephone conference with the parties. The following attorneys were on the call:

For plaintiffs:

Elwood Simon
Cyrus Mehri
Steve Wasinger
Joe Wells
Mark Gyandoh
Michael Lieder
Mark Amadeo
Elizabeth Leland
John Zuccarini
Lisa Bornstein

For defendants:

John Hartman
Michael Duffy
Scott Seabolt
Paul Ondrasik
Tom McNeil

This Order memorializes the Court's rulings at the conference.

1. Defendants' Motions to Transfer and Consolidate are DENIED.
2. Plaintiffs' Motion to Consolidate is GRANTED. The three cases are consolidated under case no. 05-71205 and shall be referred to collectively as In re Visteon Corp. ERISA Litigation.
3. If plaintiffs are unable to agree on the appointment of lead counsel within 2 weeks, the Court will entertain motions. A hearing on the motions will be held on Tuesday, July 26, 2005 at 2:00 pm.
4. Ten days following an agreement or decision on lead counsel plaintiffs shall file a consolidated amended complaint.
5. Defendants shall agree on the appointment of a liaison counsel on or before July 26, 2005.

6. The parties shall lodge the following with the Court on or before July 26, 2005:
 - a. A tabular list of defendants and their positions; if defendants can be grouped, list the groups
 - b. A tabular list of attorneys keyed, in the case of defendants, to the various defendants
 - c. A compendium of plan documents, indexed and tabbed with relevant portions highlighted. If the parties cannot agree on the relevant portions each party may highlight the relevant portions in different colors.
 - d. A chart of the management structure of the ERISA retirement plan(s).
 - e. A compendium of ERISA documents, including statutes, regulations, and other directives/documents, indexed and tabbed and appropriately highlighted
7. Following the receipt of the above, including the filing of a consolidated amended complaint, the Court will hold a status conference to consider the entry of a case management order.
8. The parties shall appear for a status conference on July 26, 2005 at 2:00pm which shall follow the hearing on the appointment of lead counsel for plaintiffs, if necessary.
9. Any objections to this Order shall be filed within 5 days.

SO ORDERED.

Dated: July 6, 2005

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was sent to counsel of record on this date, July 6, 2005, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160